

# **EXHIBIT 2**



Portfolio Media, Inc. | 111 West 19th Street, 5th floor | New York, NY 10011 | www.law360.com  
Phone: +1 646 783 7100 | Fax: +1 646 783 7161 | customerservice@law360.com

# NY To Launch Pandemic Rent Relief Program On June 1

By **Emma Whitford**

Law360 (May 25, 2021, 6:01 PM EDT) -- A long-awaited program to administer more than \$2 billion in federal pandemic rental assistance across New York will open on the morning of June 1, state officials said Tuesday.

The announcement comes amid **financial stress** for many renters and property owners, even as coronavirus infection rates wane. New York will be among the last states in the country to start releasing federal funds after the online application portal opens to tenants and landlords at 9:00 a.m. on the Tuesday after Memorial Day.

The parameters of the Emergency Rental Assistance Program, or ERAP, were **legislated** in April as part of larger state budget negotiations. Tuesday's announcement provided a concrete timeline, though the actual application will not go live until June 1.

Certain qualifications for the program were determined at the federal level. For example, tenants must make no more than 80% of the area median income to qualify and must also demonstrate pandemic-related financial hardship and housing instability.

Earlier this month, the state's Office of Temporary and Disability Assistance updated its website to list the types of documents tenants and landlords will need in order to complete their applications. According to the website, renters will be able to attest to their own hardship "in certain circumstances where no documentation is available."

Self-attestation was a lobbying priority for both landlord and tenant groups, who said too much paperwork would overcomplicate the program.

Households will be able to cover up to a year of rent and utility payments stretching back to March 13, 2020, through ERAP. Tenants who put more than 30% of their monthly income toward rent may also get up to three months of future rent covered.

For the first 30 days of the program, OTDA will prioritize applications from households whose income is at or below 50% of the median income for their area. During that window, the state says it will favor additional circumstances, like tenants who are unemployed or have pending eviction cases.

"This critical funding will help ensure New Yorkers who are experiencing financial hardship through no fault of their own will not be thrown onto the streets," Gov. Andrew Cuomo said in a statement Tuesday.

Earlier this month, New York's legislature passed a bill **extending** additional pandemic-related eviction protections through the end of August.

Landlords who accept funds through ERAP must agree not to hike their tenants' rent for one year, and not to evict during that time simply because a lease has expired. Participating landlords can still pursue eviction for nonpayment of rent going forward or for nuisance behavior, however.

A handful of jurisdictions in New York have opted to administer federal funds themselves rather than

work with the state. Of the \$2.6 billion in rent relief sent to New York by the federal government, \$168 million will go to these jurisdictions, which include the cities of Rochester and Yonkers, according to OTDA.

That leaves about \$2.43 billion for the state program. OTDA also plans to administer a separate \$100 million in state money for tenants and landlords who don't meet all the federal qualifications.

Tenant advocates said Tuesday that they were relieved, but still had some concerns.

"While it's good news that the state finally announced the launch date for the online portal, it would be helpful for all the tenants eager to apply if an application were released so that everyone is prepared to apply June 1," said Ellen Davidson, an attorney with the Legal Aid Society.

Cea Weaver, an organizer with the statewide tenant coalition Housing Justice for All, said that tenant and community groups need to act urgently now, since the program is poised to launch nearly "two full months after the legislature passed the bill designing the program."

James Whelan, president of the Real Estate Board of New York, said he hopes to help maximize participation in ERAP.

"We are pleased to see the state set a date for launching its rent relief program," Whelan said in a statement. "We share the goal of getting full participation by eligible tenants and owner acceptance of rental arrear payments, and we stand ready to partner with the state on efforts to educate New Yorkers on how to utilize the program."

--Editing by Alanna Weissman.

*Correction: An earlier version of this story misstated how the state plans to prioritize certain applications. The error has been corrected.*

---

All Content © 2003-2021, Portfolio Media, Inc.